

the self-divider shall be left in operation at the Yardley diversion for so long as the stream reaches the Nowers weir.

6. The petitioners shall at their option have the right to realign or use any water saving device or practice to get their water from the Yardley weir to the Nowers weir without protest or objection from the Yardleys.

7. The petitioners shall, at their option, have the right to use what is known and designated as the south ditch running around the south side of South Creek stream bed from the narrows to their point of diversion at any time when the waters at the Nowers weir are 6 c. f. s. or less.

8. On September 15th of every year, the Yardleys agree to dam off their ditch at the Yardley diversion and to turn all of the waters of South Creek down to the petitioners for the remainder of the year.

9. It is further stipulated and agreed that the Nowers weir is to be used to determine and divide the A, B and C waters of South Creek and its tributaries below the Yardley weir as set out in Award No. 60 of the Beaver River Decree of November 13, 1931.

10. Petitioners shall be permitted to be present while the automatic divider is being installed by the Yardleys and shall have the duty to satisfy themselves at that time that the weir is being properly designed and installed, and in the event of any dispute between the parties, the State Engineer shall designate the type of weir and the manner of installation, to the end that the weir, when installed, will divide the waters of South and Twist Creeks, 69/451 to the Yardleys and 392,46 to petitioners, and there shall be painted or otherwise established thereon a line which will measure .75 of a c. f. s. of water, so that it can be readily determined when the flow of the stream (the combined flows of South and Twist Creeks) is above or below .75 c. f. s.